

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">M.A. No.508 of 2021 in O.A. No.849 of 2021</p> <p>S.N. Thakur,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere & Asso., learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondent and Shri Onkar U. Sukale, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Respondent Nos.2 & 3.</p> <p>2. This M.A. is filed for condonation of delay of three years and four months caused in filing O.A. in which the Applicant has challenged recovery notice dated 16.06.2017.</p> <p>3. The Applicant stand retired as Sr. Industrial Inspector on 28.02.2017. After retirement, Respondent Nos.2 & 3 by order dated 16.06.2017 directed for recovery of Rs.85,000/- (Rupees Eighty Five Thousand Only) which was paid to him towards travelling allowance and mobile allowance for the period from April - 2013 to Jan. - 2015. According to Respondent Nos.2 & 3 the said amount was wrongly paid to the Applicant, and therefore recovery of Rs.85,000/- (Rupees Eighty Five Thousand Only) is sought.</p> <p>4. In M.A. the Applicant contend that he was visiting the Department, and thereafter made representation on 02.09.2021 and 17.09.2021 but it was not responded, and then filed this O.A.</p> <p>5. Learned Advocate for the Applicant sought to contend that because of COVID-19 Pandemic situation the Applicant could not file O.A. within the period of limitation and requested to condone the delay.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Whereas, learned Counsel for Respondent Nos.2 & 3 opposed the application for condonation of delay stating that limitation period had already expired much before COVID-19 and no case is made out to condone the delay.</p> <p>7. As stated above, Applicant has challenged notice dated 16.06.2017 whereby recovery of Rs.85,000/- (Rupees Eighty Five Thousand Only) has been sought. Period of limitation to challenge notice is one year which expired on 16.06.2018. However, O.A. is filed on 25.10.2021. Thus it is delayed by more than three years.</p> <p>8. Insofar as COVID-19 Pandemic situation is concerned, lockdown was affected from 15.03.2020, whereas limitation for filing O.A. expired much before it, on 16.06.2018. This being the position, the Applicant cannot take advantage of COVID-19 Pandemic situation and lockdown which occurred much later that too after expiration of period of limitation. Suffice to say, there was no hurdle to file within a period of limitation or thereafter within a reasonable time. Once the ground of COVID-19 Pandemic situation is found not of any assistance to the Applicant then there remains no other ground to condone the delay.</p> <p>9. As regard, representation made on 02.09.2021 and 17.09.2021, notably, these representations were also made after more than four years from the date of impugned order. As such, such representation made after four years from the date of impugned order will not revive old and stale cause of action nor extend the period of limitation.</p> <p>10. In view of above, it is explicit that the Applicant slept over his right for three years and he seems to be not vigilant person. In this view of the matter, I have no hesitation to sum up that no case is made out to condone the delay.</p> <p>11. M.A. is therefore dismissed with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 23.08.2022

O.A.No.297 of 2015

U.N. Yadav & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

SPEAKING TO MINUTES

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. This matter has been disposed of by this Tribunal on 08.08.2022. Today, the matter is taken on Board for 'Speaking to Minutes' in view of Praecipe dated 23.08.2022.

- (a) In paragraph No.1 instead of 'Craft Inspectors' it be corrected as 'Craft Instructors'.
- (b) In paragraph No.1, 4th line instead of G.R. dated '08.12.1999' it be corrected as '08.03.1999'.
- (c) In paragraph No.3, 11th line instead of G.R. dated '08.05.1995' it be corrected as '08.12.1995'.

3. In view of above, Praecipe dated 23.08.2022. stands disposed of.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>C.A.No.24 of 2022 in O.A.No.43 of 2022</p> <p>S.P. KalgutkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. produces chart showing pensionary benefits under the 8 columns. Taken on record and marked as Exhibit-A.</p> <p>3. In view of this as the order is complied, C.A.No.24/2022 stands disposed of.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>23.08.2022</u></p> <p align="center"><u>O.A 592/2015</u></p> <p>Shri J.S Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that Hon'ble Bombay High Court by order dated 24.4.2018 in W.P 8926/2015 has stayed the order of this Tribunal dated 4.7.2014 in O.A 1215, 1128 & 1227/2013 and order dated 1.9.2014 in R.A 23/2014.</p> <p>3. In view of the above, matter is adjourned to 22.11.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) Member (A) Akn</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<u>23.08.2022</u> Tribunal's orders O.A 212/2021
	<p>Shri V.G Davari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Smt K S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 18.10.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2022</u></p> <p>O.A 3 61, 362, 505, 506/2022, 108, 109, 468 & 469/2020.</p> <p>-----</p> <p>L.K Shinde & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O request for time to file reply. Two weeks' time granted to the Respondents to file affidavit in reply.</p> <p>3. S.O to 6.9.2022. Interim relief to continue till next date.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2022</u></p> <p><u>C.A 10/2021 in O.A 426/2019</u></p> <p>Shri P.D Mule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files short affidavit in reply on behalf of Respondent no. 1 in compliance of order dated 11.11.2019, and states that the amount has been credited to the account of the applicant on 22.8.2022.</p> <p>3. In view of the above, nothing remains in the Contempt Application and the same stands disposed of.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 23.08.2022

O.A.No.297 of 2015

U.N. Yadav & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

SPEAKING TO MINUTES

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. This matter has been disposed of by this Tribunal on 08.08.2022. Today, the matter is taken on Board for 'Speaking to Minutes' in view of Praecept dated 23.08.2022.

- (a) In paragraph No.1 instead of 'Craft Inspectors' it be corrected as 'Craft Instructors'.
- (b) In paragraph No.1, 4th line instead of G.R. dated '08.12.1999' it be corrected as '08.03.1999'.
- (c) In paragraph No.3, 11th line instead of G.R. dated '08.05.1995' it be corrected as '08.12.1995'.

3. In view of above, Praecept dated 23.08.2022. stands disposed of.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 23.08.2022</p>
	<p>C.A.No.1 of 2022 in O.A.No.370 of 2019</p> <p>L.T. RathodApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. P.S Rane, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Ms. Kanchan Umbrajkar, working as Office Superintendent in Cama Hospital is present and has produced letter dated 23.08.2022 issued by the Medical Superintendent, Cama Hospital which shows the chart of revised pay fixation of the applicant after his deemed dates of promotion as on 02.03.2009, 27.02.2012 and 24.11.2016. Taken on record and marked as Exhibit A for identification. Copy of the said letter is handed over to learned Advocate.</p> <p>3. Learned Advocate seeks time to make submissions. Learned Advocate submits that the Respondents be directed to give calculation of pay and allowances. However Respondents have given re-fixation order of the pay.</p> <p>4. On instructions from Ms. Kanchan learned P.O. submits that such statement of pay and allowances will be given on the next date. Applicant may file affidavit as per his calculation.</p> <p>5. Adjourned to 07.09.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> <p>[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>C.A.No.42 of 2022 in O.A.No.986 of 2021</p> <p>U.V. MoreApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. produces copy of letter dated 23.08.2022 wherein it is stated that the G.R. will be issued within 7 days as the file has been submitted to the Hon'ble Home Minister.</p> <p>3. Learned Advocate seeks 15 days time.</p> <p>4. Time granted. Adjourned to 06.09.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O.A.No.834 of 2022</p> <p>Dr. V.N. Waghmare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicants submits that Applicants working on contract basis in Seth G.S. Medical College and K.E.M. Hospital, Mumbai seeks interim relief so as to allow them to appear for the interview which is scheduled to be held on 26.08.2022 for the post of Assistant Professor in Government Medical College and Hospital, Alibaug and Government Medical College, Nandubar vide advertisement No.212/2021 and 245/2021 dated 11.10.2021 and 28.10.2021.</p> <p>3. Learned Advocate submits that the applicant's applications are rejected by the M.P.S.C. on the ground that they do not have the requisite experience of one year. However Applicant No.1, Dr. Waghmare Vikrant Nandkishor and Applicant No.2, Dr. Sawardekar Siddharth Gorakhnath (earlier name Mr. Kamble Siddharth Gorakhnath) hold the experience certificates dated 24.09.2020 and 04.08.2020 respectively issued by the Directorate of Medical Education and Research which clearly states that the Applicants have worked as Senior Resident for the period of one year. The said certificates clearly state that the Applicants have served the Government of Maharashtra as Senior</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Resident for the period of one year after completion of postgraduate studies.

4. Learned P.O. submits that M.P.S.C. has refused their applications on the ground that they have not completed the mandatory one year, but have completed only 364 days. Learned P.O. points out that even in the application forms both the applicants have stated that they have completed 11 months and 29 days.

5. Considering the fact that there is deficit of only one day, this is merely the matter of expression and moreover the certificates issued by the DMER clearly states that they have completed their bounded services as Senior Resident for the period of one year.

6. In view of this, both the applicants are allowed to appear for the interview which is scheduled to be held on 26.08.2022.

7. Adjourned to 07.09.2022 for learned P.O. to file affidavit-in-reply. Hamdast.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**MISC. APPLICATION NO.271 OF 2022
IN
ORIGINAL APPLICATION NO.417 OF 2022**

DISTRICT: PUNE

Smt. Ranjana P. Gage,)
Age Major, Occu. Govt. Service,)
R/at Dr. Eetasha Madke, Flat No.8,)
Smt. Kashibai Navle Medical College, Narthe)
Pune-411 041. Mobile No.9822080111.)
Email: gageranjana@gmail.com)... **Applicant**

Versus

- 1) The State of Maharashtra,)
Through its Chief Secretary (2),)
Urban Development Department,)
Mantralaya, Mumbai-32.)
- 2) The Commissioner Cum Director,)
Nagar Parishad Administration Directorate,)
Government Transport Service building,)
3rd Floor, Sir, Pochkanwala Marg,)
Worli, Mumbai-400 030.)
- 3) The Ministry of Finance,)
Through the Chief Secretary,)
Mantralaya, Mumbai-32.)... **Respondents**

Shri Yashodeep Deshmukh, learned Advocate holding for Shri V. Sangvikar, learned Advocate for the Applicant.

Shri A.J. Chougule, learned Presenting Officer for the Respondents.

CORAM : A.P. KURHEKAR, MEMBER(J)

DATE : 23.08.2022.

ORDER

1. This M.A. is filed to condone delay of three years and sixteen day caused in filing O.A. No.417/2022.

Wadhwa

2. The Applicant was promoted on the post of Chief Officer Municipal Corporation by order dated 01.12.2005. However, later he was granted Deemed Date of Promotion w.e.f. 09.04.1999 by order dated 21.04.2014. However, as per clause 6 of the order dated 21.04.2014 he was not held entitle for pay and allowance for the period from Deemed Date of Promotion. Being aggrieved by it, the Applicant had filed O.A. No.48/2017 before this Tribunal. Tribunal disposed of O.A. No.48/2017 by order dated 08.09.2017 with the observation that there is strong case in favour of the Applicant. Insofar as arrears aspect is concerned it is held that it would be appropriate to dispose of O.A. laying down an outer limit for the Respondents to take decision in respect of pay and allowance. Accordingly, O.A. was disposed of with direction to the Respondents to take decision within a period of three months from the date of order. Despite time limit given by the Tribunal, Respondent didn't take decision. Ultimately, the Applicant has filed Contempt proceeding No.38/2018 which was pending in the Tribunal for four years. Contempt Application was ultimately disposed of by order dated 31.01.2022 by Division Bench of this Tribunal.

3. Perusal of order dated 31.01.2022 passed by Division Bench in C.A. reveals that Division Bench called for file noting/record and on the basis of record Tribunal was satisfied that reasons are already recorded in file noting about non entitlement of the Applicant for pay and allowance from Deemed Date of Promotion. Indeed, the Applicant was also communicated by letter dated 21.03.2018 about his non entitlement of the pay and allowance from date of Deemed Date of promotion.

4. Learned Advocate for the Applicant prayed to condone the delay caused in challenging order dated 21.03.2018 *inter-alia* contending that he was pursuing remedy in Contempt proceeding under the bonafide belief that the decision taken by the Department for not giving pay and allowance was not in consonance of the order passed by the Tribunal in

O.A. No.48/2017. He therefore submits that limitation will have to be counted from the date of final disposal of Contempt proceeding.

5. In M.A. though enough chances are granted no Reply is filed.

6. Learned P.O. however sought to oppose M.A. *inter-alia* contending that pendency of contempt proceeding would not be of any assistance to the Applicant to condone delay since admittedly he was served with the impugned order dated 21.03.2018 and O.A. ought to have been filed within one year from the date of impugned order and delay is not properly explain.

7. In this behalf, learned Advocate for the Applicant referred to the decision of Hon'ble Supreme Court in **(2010) 6 SCC 786** wherein it has been held as under.

"It is pertinent to point out that unless malafides are writ large on the conduct of the party, generally as a normal rule, delay should be condoned. In the legal arena, an attempt should always be made to allow the matter to be contested on merits rather than to throw it on such technicalities. Justice can be done only when the matter is fought on merits and in accordance with law rather than to dispose it of on such technicalities and that too at the threshold"

8. It is explicit that the Applicant was not satisfied with the order dated 21.03.2018 and was hotly pursuing contempt proceeding. However, ultimately contempt proceeding were disposed by the Division Bench on 31.01.2022 that there is no case of contempt. It is on that date the Applicant realized necessity to file independent O.A. so as to challenge order dated 21.03.2018. Thus the Applicant seems to have been pursuing remedy in contempt proceeding in bonafide belief that his grievance would be redressed in contempt proceeding. As per Section 14 of Limitation Act where litigant is pursuing remedy in different Court in bonafide belief than such period can be excluded from the period of limitation.

lmm

9. In view of above, in my considered opinion instead of disposing the matter on the point of limitation, it would be appropriate to condone delay so as to decide the issue on its own merit.
10. For the aforesaid reasons, delay caused in filing O.A. is condoned.
11. M.A. is accordingly allowed with no order as to costs.

Sd/-
(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai
Date: 23.08.2022
Dictation taken by: N.M. Naik.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">O.A. No.417 of 2022</p> <p>R.P. Gage,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Yashodeep Deshmukh, learned Advocate holding for Shri V. Sangvikar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondent.</p> <p>2. This O.A. is filed along with M.A. No.271/2022 for condonation of delay which is allowed by separate order passed in M.A. This O.A. therefore deserves to be decided on merit.</p> <p>3. Since, learned P.O. cast appearance in M.A., issuance of notice of O.A. is dispensed with.</p> <p>4. Three weeks time is granted to learned P.O. to file Affidavit-in-Reply in O.A.</p> <p>5. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">O.A. No.77 of 2018</p> <p>D.S. Khatal & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondent.</p> <p>2. The perusal of record reveals that basically his claim for upgradation in seniority list comparing his case with others and on that basis claiming Deemed Date of Promotion. Thus the basic issue or foundation of the claim for Deemed Date of Promotion is upgradation in sonority list. If he gets seniority then only he could claim Deemed Date of Promotion. He made various representations (Exhibit M,P,Q) but those are not responded.</p> <p>3. Learned P.O. on instructions from Shri Prashant S. Shelar, Section Officer, G.A.D. admits that representations are not yet decided.</p> <p>4. Be that as it may, basically relief claimed by the Applicant is about seniority. Therefore the matter seems pertain to Division Bench and not to Single Bench.</p> <p>5. I/C. Registrar is directed to examine and to place the matter before appropriate Bench.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.08.2022
	<p>O.A.No.347 of 2018 with O.A.No.348 of 2018</p> <p>R.D. Ghavate (O.A.347/2018) S.S. Kolate (O.A.348/2018)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned P.O. on instructions from Mr. Nilesh Lokhande, Assistant Section Officer from the office of M.P.S.C. submits that the names of both the Applicants i.e. Ms. Ghavate and Mr. Kolate are recommended by the M.P.S.C. to the Government.</p> <p>3. Under such circumstances, the concerned lawyers to inform the Tribunal whether anything remains in the matter.</p> <p>4. Adjourned to 24.08.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2022</u></p> <p><u>O.A 349/2017</u></p> <p>Shri K.V Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji holding for Shri S.S Dere, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents</p> <p>2. The matter is wrongly shown under the caption "For Dismissal".</p> <p>3. Matter adjourned to 11.10.2022.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>23.08.2022</u></p> <p><u>O.A 275, 276 & 277/2021</u></p> <p>S.P Pawar M.S Thorat V.K Wagh ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.V Kate, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel states that though the matter is adjourned to 18.10.2022, he submits that the issue is small and it can be taken at an early date.</p> <p>3. Though we want to take the matter speedily, it is not possible as matters from 2015 are pending and we are giving preference to old matters.</p> <p>4. S.O to 18.10.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>O.A.No.572 of 2020</p> <p>P.P. SuryawanshiApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for the Respondents.</p> <p>2. Learned P.O. submits that affidavit-in-reply dated 23.03.2021 is already filed. However, copy is furnished to learned Advocate today.</p> <p>3. At the instance of learned Advocate adjourned to 13.09.2022 for rejoinder.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>O.A.No.631 of 2022 with O.A.No.451 of 2022</p> <p>P.V. Topale (O.A.631/2022) H.R. Gangurde (O.A.451/2022)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Dere submits that the matter is regarding Selection Process for the post of Assistant Engineer. He submits the as per M.P.S.C. Rules of Procedure, 2014 the M.P.S.C. did not publish the waiting list. M.P.S.C. has adopted the procedure of 'opting out' by Circular dated 16.11.2021. The opting out option was provided by circular dated 12.02.2022 wherein the last date of opting out was 20.02.2022. The candidates who were selected did not avail the opting out option within the prescribed time. However in O.A.No.631/2022 by letter dated 22.06.2022 and in O.A.No.451/2022 by undated letter the said candidates informed M.P.S.C. that their recommendation are to be cancelled as they do not wish to join the said posts.</p> <p>3. M.P.S.C. is hereby directed to file affidavit-in-reply by next date.</p> <p>4. Adjourned to 06.09.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: right;">[P.T.O.]</p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O.A.No.416 of 2022</p> <p>A.S. JageApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that during the course of the day she will be filing affidavit-in-reply. It be taken on record. Copy be served upon learned Advocate.</p> <p>3. Adjourned to 06.09.2022 for rejoinder.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 23.08.2022**O.A.No.303 of 2022**

S.S. Patil (Galande) & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr.G.B. Pawar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Affidavit-in-reply is filed on 04.08.2022. Copy is furnished to learned Advocate today.

3. Adjourned to 13.09.2022 for rejoinder.

Sd/-

(Medha Gadgil/
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
---	-------------------

Date : 23.08.2022

O.A.No.154 of 2021

S.S. SamantApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. D.B. Kale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Affidavit-in-reply is filed. Adjourned to 07.09.2022.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p style="text-align: center;">O.A.No.401 of 2022</p> <p>A.J. BavaskarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. S.C. Yeramwar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. files affidavit-in-reply. Taken on record. Copy is served to learned Advocate for the Applicant.</p> <p>3. Learned Advocate submits that she does not want to file rejoinder. She submits that the issue is short and it is matter of termination hence it is to be heard expeditiously.</p> <p>4. We would like to hear it. However it is not possible for us as the matters from the year 2015 are pending.</p> <p>5. Admit. Matter is tentatively adjourned to 18.10.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>C.A.No.41 of 2021 in O.A.No.1052 of 2016 With M.A.No.700 of 2019 in R.A.No.23 of 2019 in O.A.No.1052 of 2016 With R.A.No.23 of 2019 in O.A.No.1052 of 2016</p> <p>V.S. Patil V.S. KalekarApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.S. Jadhav, learned Advocate holding for Mr. R.G. Panchal, learned Advocate for the Applicant C.A.No.41 of 2021 in O.A.No.1052 of 2016 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Jadhav is directed to come with the brief in the Tribunal.</p> <p>3. Adjourned to 06.09.2022.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">M.A.No.226 of 2022 in O.A.No.354 of 2020</p> <p>State of Maharashtra .Applicants (Org. Resp.) Vs. The State of Maharashtra & Ors.Respondents (Org. Appli).</p> <p>1. Heard Mr. A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting officer for the Applicants (Org. Respondents) and Mr. K.R. Jagdale, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. Learned Advocate Mr. Jagdale holding for learned Advocate Mr. Talkute who appears for Ori. Applicant in O.A.No.354/2020 subpmits that the matter is to be fixed after Ganesh Festival.</p> <p>3. Hence, matter adjourned to 13.09.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">M.A.No.282 of 2022 in O.A.No.536 of 2021 with O.A.No.537 of 2021</p> <p>S.B. SonwaneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.S. Jadhav, learned Advocate holding for Mr. R.G. Panchal, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Jadhav seeks time as he is informed by learned Advocate Mr. Panchal that Mr. Panchal wants to amend the M.A.</p> <p>3. At the request of learned Advocate Mr. Jadhav adjourned to 20.09.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>M.A.No.499 of 2022 in O.A.No.31 of 2022</p> <p>Y.B. WaghApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant in person and Mr. A.J. Chougule and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned P.O. for filing affidavit-in-reply in M.A.</p> <p>3. Adjourned to 06.09.2022 for hearing on interim relief.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>O.A.No.592 of 2015</p> <p>J.S. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Matter called out in the morning session, none was present, hence kept back.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Later on : Date : 23.08.2022</p> <p>M.A.No.638 of 2018 in O.A.No.887 of 2018</p> <p>J.R. BankapureApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Matter called out at 2.30 p.m. Order passed in the morning session is to be set aside at the request of learned Advocate Mr. R.M. Kolge.</p> <p>3. Learned Advocate Mr. Kolge submits that he is appearing in the matter, however he has not filed vakalatnama yet.</p> <p>4. Learned Advocate Mr. Kolge is directed to file vakalatnama today itself. Registry to take note of the same.</p> <p>5. Adjourned to 20.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.08.2022
	<p align="center">M.A.No.638 of 2018 in O.A.No.887 of 2018</p> <p>J.R. BankapureApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. We are informed that Advocate Mr. J.N. Kamble is no more. Hence, the Registry was directed to issue notice to the Applicant directing him to appear before the Tribunal. In the note it is mentioned that the notice was issued to the Applicant on 28.06.2022 through speed post. On perusal of the record it is found that earlier by order dated 05.07.2022 Registry was directed to issue notice to the Applicant to appear in person and proceed with the matter if he wants to. Registry has noted on 08.07.2022 that the notice was issued to the applicant by postal service on 08.07.2022.</p> <p>3. Under such circumstances, matter is kept 'For Dismissal' today at 2.30 p.m for want of prosecution.</p> <p align="right">Sd/-</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.08.2022
	<p align="center">M.A.No.503 of 2022 in O.A.No.834 of 2022</p> <p>Dr. V.N. Waghmare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer holding for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p>C.A.No.52 of 2021 in O.A.No.488 of 2020</p> <p>V.N. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Chandratre seeks 15 days time.</p> <p>3. Time granted. Adjourned to 06.09.2022.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A.Nos.262 & 263/2020</u></p> <p>Shri L.J. Thakur Shri K.J. Mhatre ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri K.R. Jagdale, learned Advocate for the Applicants and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. In these O.As, the issue pertains to pay fixation done by the Department and consequent recovery. During the course of hearing, it is inspired that the Department has already sent Service Book to Pay Verification Unit for verification of pay fixation done by them. As such, until scrutiny is done by the Pay Verification Unit, nothing could be said about finality to the re-fixation done by the Department.</p> <p>3. Learned P.O. requested for two months' time for receipt of Report and Service Book from Pay Verification Unit.</p> <p>4. These two O.As are pending from 2020, and therefore, required to be disposed of expeditiously.</p> <p>5. In view of above, it would be appropriate to await for the report of Pay Verification Unit.</p> <p>6. The Respondents are directed to get the work of pay verification expedited from Pay Verification Unit within six weeks from today.</p> <p>7. S.O. to 7th October, 2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 23.08.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A.No.425/2022</u></p> <p>Shri S.H. Ayare ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. Today, learned P.O. has filed short Affidavit on behalf of Respondents along with Annexures, particularly to show that Applicant was taken in custody by Police on 15.02.2019. However, as per remand paper, the date of arrest is shown 16.02.2019 at 3.00 p.m. It is taken on record.</p> <p>3. Arguments concluded. Closed for order.</p> <p align="right">Sd/- ^W (A.P. Kurhekar) Member-J 23.08.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">O.A. No.531 of 2022</p> <p>S.B. KoraviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate instructed by Shri S.V. Kate, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant has prayed to quash and set aside order dated 20.05.2022 to the extent of posting at Sangli. The Applicant was in the cadre of Police Constable (Wireless) and by order dated 20.05.2022 he is promoted to the post of A.S.I. (Head Wireless Operator) and was posted in the office of Superintendent of Police, Sangli. At the time of promotion he was on the establishment of the Police Commissioner, Mumbai.</p> <p>3. Learned Advocate for the Applicant submit that after the promotion order dated 20.05.2022 the Applicant has made representation for change of posting but it is turned down. He wants to ^{challenge} change it by filing fresh O.A. He therefore sought permission to withdraw this O.A. with liberty to file fresh O.A.</p> <p>4. Allowed to withdraw O.A. with liberty to file fresh O.A.</p> <p>5. O.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p>M.A. No.261 of 2022 in O.A. No.404 of 2022</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondent.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply in M.A on behalf of Respondent Nos.1 to 4. It is taken on record.</p> <p>3. Adjourned for hearing of M.A.</p> <p>4. S.O. to 14.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O.A.No.574 of 2022</p> <p>R. A. LokhandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply but the same is not filed.</p> <p>3. Hence, I am not inclined to grant further time.</p> <p>4. O.A. be kept for hearing at the stage of admission with liberty to file reply in the meantime one week in advance with copy to other side.</p> <p>5. S.O. to 19.09.2022.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O.A.No.566 of 2022</p> <p>S. A. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. Two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 06.09.2022.</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O.A.No.390 of 2022</p> <p>M. K. Waghela & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Mohan Kumbhar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 06.09.2022.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p style="text-align: center;">M. A. No.474 of 2022 in O.A.No.632 of 2022</p> <p>G. M. ShaktiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Vishal Hegde, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay caused in filing O.A.No.63/2022. According to learned Counsel for the Applicant in fact there is no delay. He has further pointed out that in communication dated 01.04.2022 from Respondent No.2 to Respondent No.1-Governemnt, there is admission of liability to pay interest. The said latter reveals that Respondent No.2 has sought administrative approval for payment of interest from the Respondent No.1.</p> <p>3. In view of above, on request of learned P.O., one week time is granted to take instructions about administrative approval sought in the communication dated 01.04.2022 so that O.A. could be disposed of suitably.</p> <p>4. Steno copy granted.</p> <p>5. S.O. to 30.08.022.</p> <p style="text-align: right;">^ Sd/- v~ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 23.08.2022</p> <p align="center">O. A. No. 284 of 2022</p> <p>Y. A. InamdarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Mohan Kumbhar holding for Shri S. K. Hande , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, the matter is for filing Rejoinder but the same is not filed. 3. O.A. be kept for hearing at the stage of admission. 4. S.O. to 23.09.2022. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date: 23.08.2022

O.A. No.800 of 2022

R.A. BhaleraoApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. The Applicant has challenged communication dated 31.05.2022 whereby his claim for compassionate appointment is rejected.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 20.09.2022.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
9. S.O. to 20.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p>O.A. No.226 of 2022 to O.A. No.230 of 2022 with O.A. No.259 of 2022</p> <p>N.L. Yevage S.K. Randive P.R. Kadarkar S.A. Kamble D.N. Wable W.M. DsouzaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Advocate Smt. Punam Mahajan has sent her leave note. 3. Ms. S.P. Manchekar, learned Chief Presenting Officer along with Smt. Archana B.K., Smt. K.S. Gaikwad and Shri A.J. Chougule learned Presenting Officer for the Respondents are present. 4. In O.A. No.226/2022, Respondent No.4 has already filed Affidavit-in-Reply. No Reply is filed on behalf of remaining Respondent. 5. In O.A. No.228/2022, today learned P.O. has tendered Affidavit-in-Reply on behalf of Respondent Nos.3 & 4. It is taken on record. 6. In O.A. No.227/2022, O.A. No.229/2022, O.A. No.230/2022 & O.A. No.259/2022 no Reply is filed. 7. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply on behalf of remaining Respondents with specific direction that no further time will be given. 8. S.O. to 06.09.2022. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date: 23.08.2022

M.A. No.596 of 2021 & M.A. No.597 of 2021
in O.A. No.55 of 2021

S.B. Savlekar & Ors.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondent Nos.1 & 2. Shri M.S. Lagu, learned Advocate for the Respondent Nos.3 &4 is absent.

2. The learned Advocate for the Applicant has raised grievance that these two M.As which are filed for condonation of delay to bring legal heirs on record and another for bringing legal heirs on record are not traceable, and therefore not listed before the Tribunal for so many dates.

3. On previous date i.e. 11.08.2022 direction were given by the Tribunal to trace these M.As for listing it before the Bench. However, Office did nothing, they have not even placed on record note to that effect.

4. Learned Advocate for the Applicant seeks permission to reconstruct M.A.

5. In view of above, I/C. Registrar is required to look into the matter and fix responsibility for loss of record and should avail necessary orders from Hon'ble Chairperson for reconstruction.

6. Two weeks time is granted to take necessary steps.

7. S.O. to 30.08.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">M.A. No.414 of 2019 in O.A. No.758 of 2019</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of five months caused in filing O.A.</p> <p>3. Applicants are Van Majdur in O.A., they have challenged order dated 12.03.2018 whereby they were retired with retrospective date i.e. from 31.03.2014 and 31.08.2009. The order dated 12.03.2018 has been served upon the Applicants on 19.03.2018. O.A. ought to have been filed on or before 19.03.2019 but it is filed on 01.08.2019.</p> <p>4. The Applicants contends that they were seeking redressal of grievance through union but it was not materialized, and therefore there is a delay of five months.</p> <p>5. The Applicants being Van Majdur, in the interest of justice, I am inclined to condone delay so as to decide O.A. on merit.</p> <p>6. In view of above, M.A. No.414/2019 is allowed with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">NMN [P.T.O.]</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">M.A. No.262 of 2022 in O.A. No.758 of 2019</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment of O.A. raising some additional ground to substantiate the claim made in O.A. 3. Proposed amendment is necessary for proper adjudication of the issue involved. 4. In view of above, allowed to amend O.A. Amendment be carried out within a week. 5. Learned Advocate for the Applicant is directed to serve copy of amended O.A. to the Respondents. 6. Three weeks time is granted to file Affidavit-in-Reply in O.A. <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">O.A. No.758 of 2019</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed along with M.A. No.414/2019 for condonation of delay which is allowed today. Apart, M.A. No.262/2022 for amendment is also allowed. Amendment be carried out within a week.</p> <p>3. Three weeks time is granted to file Affidavit-in-Reply in O.A.</p> <p>4. S.O. to 14.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p align="center">R.A. No.08 of 2022 in O.A. No.335 of 2020</p> <p>S.M. SatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.M. Sathe, Applicant-in-Person and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Reply.</p> <p>3. O.A. No.06.09.2022.</p> <p align="center">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 23.08.2022</p> <p>O.A. No.820 of 2022</p> <p>P.D. PadwalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged suspension order dated 20.12.2021 whereby he is suspended in contemplation of D.E. The Applicant has sought direction for reinstatement on same post instead of reinstatement on some other post as given to him by order dated 21.02.2022. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 14.09.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 14.09.2022. Sd/- <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>